

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA,

Case No. 8:03-CR-77-T-30TBM

v.

SAMI AMIN AL-ARIAN, et al.,

Defendants.

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**MOTION FOR EXTENSION OF TIME TO FILE MEMORANDA
IN SUPPORT OF MOTIONS TO DISMISS COUNT 1 OF INDICTMENT (RICO),
MOTION TO DISMISS COUNTS 1 THROUGH 4 OF INDICTMENT (POSSE
COMITATUS ACT) MOTION TO DISMISS RE: PRE-INDICTMENT DELAY
AND DESTRUCTION OF EVIDENCE AND MOTION TO STRIKE LANGUAGE
FROM COUNT THREE OF INDICTMENT**

COMES NOW the Accused, Dr. SAMI AMIN AL-ARIAN, by and through his undersigned counsel, and pursuant to Local Rule 3.09, requests this Honorable Court to extend the time permitted for filing supplemental memoranda of law in support of above referenced motions. As grounds for said Motion, the following is alleged:

1. On October 22, 2004, this Honorable Court granted a request by counsel for Hatim Fariz to extend time to file challenges to the superceding indictment to October 29, 2004. See Doc. 692.
2. Within the last few days, counsel on behalf of Dr. Al-Arian filed a lengthy First Motion to Continue the Jury Trial Date. See Doc. 689. This motion diverted considerable time from the preparations of other motions to dismiss the indictment.

3. Defense counsel anticipates filing, today, Four (4) separate motions, as referenced above, challenging the indictment.
4. Defense counsel has been diligent and expended considerable time in preparing the various motions on behalf of Dr. Al-Arian. However, a few more days is required in order to complete the legal memoranda in support of these motions.
5. Because of the importance of the legal issues involved, counsel requests the additional time of 4 days to fully brief the relevant law.

WHEREFORE, the Accused requests this Honorable Court to extend the time for the filing of a response to the Government's Motion an additional 4 days to November 2, 2004.

Dated: October 29, 2004

Respectfully Submitted,

/s/ William B. Moffitt
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of October, 2004, a true and correct copy of the foregoing has been furnished, by CM/ECF, to Walter Furr, Assistant United States Attorney; Terry Zitek, Assistant United States Attorney; Kevin Beck, Assistant Federal Public Defender, M. Allison Guagliardo, Assistant Federal Public Defender, counsel for Hatim Fariz; Bruce Howie, Counsel for Ghassan Ballut, and by U.S. Mail to Stephen N. Bernstein, P.O. Box 1642, Gainesville, Florida 32602, counsel for Sameeh Hammoudeh.

/s/ Linda Moreno
Linda Moreno
Attorney for Sami Al-Arian